

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
SUSAN TRESEDER, RN	:	
License # 26NR07379000	:	
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Susan Treseder ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about April 14, 2012, Respondent completed and submitted an online biennial renewal for the period of June 1, 2012 to May 31, 2014.

3. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2012,"

referring to the biennial renewal period of June 1, 2010 to May 31, 2012. Respondent answered "Yes" and certified that answer by submitting the online application.

4. Upon receipt of a Medical Malpractice Payment Report indicating that a payment was made on behalf of Respondent for a December 2010 incident, the Board sent a letter of inquiry requesting certain information and submission of documents regarding the malpractice case, Respondent's current nursing practice, and continuing education to Respondent's address of record in Moorestown, New Jersey, via regular and certified mail on or about May 16, 2013.

5. Regarding continuing education, Respondent submitted proof of completion of 7 contact hour credits for the renewal period of June 01, 2010 to May 31, 2012 and 7.8 contact hour credits for the renewal period of June 01, 2012 to May 31, 2014. Respondent submitted other documentation, but the documentation does not include the contact hours completed or a notation that the courses were approved or accredited as continuing education for nurses. Respondent indicated that she discards continuing education documents when she renews her license because she assumed she no longer needed them.

6. On or about May 01, 2014, Respondent completed and submitted an online biennial renewal for the period of June 1, 2014 to May 31, 2016.

7. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2014," referring to the biennial renewal period of June 1, 2012 to May 31, 2014. Respondent answered "Yes" and certified that answer by submitting the online application. Respondent also answered that she had completed the one hour course on Organ and Tissue Donation.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3(b), licensees are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), licensees are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request. Respondent violated this regulation by discarding her continuing education documents.

By virtue of having failed to provide adequate proof of successful completion of thirty (30) hours of continuing

education, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent timely completed the continuing education credits required for renewal during the biennial period of June 1, 2010 to May 31, 2012. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on December 2, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a \$250 civil penalty. A copy of the Order was served upon the respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting

any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order. She provided valid certificates of completion for 23 additional contact hours of continuing education to be attributed to the 2010-2012 licensing cycle, although they were belatedly completed in 2014. Respondent has accordingly demonstrated completion of required continuing education in satisfaction of her obligation for both the 2010-2012 and 2014 licensing cycles. Respondent's attorney, Jarad L. Silverstein, Esq., argues that respondent actually timely completed her continuing education obligation for the 2010-2012 licensing cycle, but is unable to provide documentation of this, since she was unaware of the regulation requiring licensees to retain certificates of completion for a four year period. He maintains that submission of documentation of courses taken which do not indicate either the number of hours (such as the PALS and ACLS cards or a list of in-service courses) demonstrate that respondent satisfied her required continuing education obligation. However, courses which do not indicate the number of contact hours clearly do not qualify pursuant to N.J.A.C. 13:37-5.3 as valid continuing education; nor is documentation of continuing education which does not indicate the appropriate accreditation information. The fact

that respondent, a registered professional nurse with a license to protect, was not familiar with the regulatory requirements for continuing education cannot excuse her from compliance with N.J.A.C. 13:37-5.3. Moreover, although it is not referenced in the Provisional Order, to this date respondent has not fully satisfied the requirements of N.J.A.C. 13:37-5.3, in that she has not provided documentation of a one-hour course in organ and tissue donation. The Board finds that respondent knew or should have known that she was not in compliance with N.J.A.C. 13:37-5.3 when she indicated that she would have completed all continuing education requirements, and therefore a reprimand for misrepresentation is appropriate, as is the civil penalty for failure to timely complete required continuing education. Accordingly, although the Board finds that suspension is no longer applicable pursuant to the terms of the Provisional Order, the Board finds that finalization of the Provisional Order imposing those penalties is appropriate.

ACCORDINGLY, IT IS on this 30th day of March, 2015,

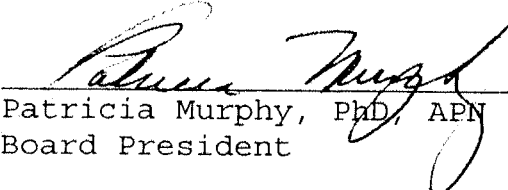
ORDERED that:

1. A reprimand is imposed on Respondent for misrepresentation of the continuing education information on her license renewal application.

2. Respondent is assessed a civil penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. As respondent has already submitted payment of this amount, no further action is required with respect to this provision.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President